

### REMARKS

In response to the Office Action mailed March 1, 2004, Applicants submit the following Amendment and Response. Claims 1, 17, and 36 have been amended. Claims 16, 28-31, 35, and 69-85 have been canceled. Claims 86-103 have been newly added. Claims 1-15, 17-27, 32-34, 36-68, and 86-103 remain pending. The limitations of dependent claim 16 were incorporated into claim 1. The limitations of dependent claims 28-31 were incorporated into claim 86. The limitations of dependent claim 35 were incorporated into claim 93. In addition, support can be found in the specification at, e.g., page 5, line 21 – page 6, line 13. Therefore, these amendments are made without the addition of new matter.

#### *Allowable Subject Matter*

Applicants gratefully acknowledge the examiner's indication that claims 16, 28-31, and 35 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In addition, claims 36-68 have been indicated as allowable if amended to overcome the § 112 rejections.

#### *Art Rejections*

Claims 1-8, 10-15, 17, 18, 19-27, and 32-34 were rejected under 35 U.S.C. § 102(e), as being allegedly anticipated by Wohstadter et al. (U.S. Patent No. 6,673,533). Claim 9 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wohstadter et al.

As stated above, claims 16, 28-31, and 35 were indicated as allowable if rewritten in independent form. Applicants have amended claim 1 to include the limitations of claim 16. In

addition, Applicants have added new claim 86, which specifies that "R is selected from the group consisting of a hydrazide, succinimidyl ester, aldehyde, and psoralen moiety." This Markush group combines the limitations of dependent claims 28-31 and also contains all of the limitations of the base claim and any intervening claims. Newly added claim 93 corresponds to claim 35 rewritten in independent form and containing all of the limitations of the base claim and any intervening claims. Therefore, Applicants respectfully assert that the prior art does not teach or suggest each and every limitation of the claims as amended or added and request withdrawal of the rejections.

***Information Disclosure Statement***

Applicants note that the PTO-Form 1449 submitted February 9, 2004, was not returned to Applicants with initials in the left-most column. Applicants respectfully request that the Examiner return a copy of this PTO-Form 1449 with the next correspondence.

Applicants submit that the claims, as amended, are free of the cited art and are in position for allowance. Please charge Deposit Account No. 50-2862 for the 3-month extension fee and any other fees required by this submission. If the Examiner has any questions regarding this communication, or feels that an interview might facilitate prosecution of the application, he is invited to contact the undersigned at (949) 737-2900.

Respectfully submitted,  
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